

Remarks

Amendment to Claims

Claims 1, 2 and 18 have been amended herein to delete the terms of “preventing or managing,” “prevention or management” and “prophylactically.” No new matter has been added by these claim amendments. Accordingly, entry of the foregoing amendments and following remarks into the file of the above-identified application is respectfully requested. After the amendments, claims 1-7 and 18-19 are pending in this application.

The Rejection Under 35 U.S.C. § 112 Should Be Withdrawn

On pages 2-4 of the Office Action, claims 1-7 and 18-19 are rejected under 35 U.S.C. § 112, first paragraph, on the ground that the specification, while being enabling for treating macular degeneration, does not reasonably provide enablement for preventing macular degeneration, based on the analysis of factors set forth in *In re Wands*, 858 F.2d 731, 737 (Fed. Cir. 1988) (“*Wands* factors”). Applicant respectfully traverses this rejection.

Although Applicant strongly disagrees with the Examiner’s allegation that the specification is viewed as lacking enablement for prevention of macular degeneration (page 2 of the Office Action), the pending claims have been amended to delete the terms of “preventing,” “prevention,” and “prophylactically,” solely to expedite the prosecution of the present application, and without prejudice to Applicants’ right to pursue them in one or more continuation, divisional or continuation-in-part applications. The Examiner admitted that the specification is enabled for treating macular degeneration using the recited compounds (pages 2-3 of the Office Action). The pending claims recite methods for treating macular degeneration, and the rejection is moot. Applicant respectfully requests that the rejection be withdrawn.

Conclusion

In view of the foregoing, the rejections of the claims should be withdrawn. Reconsideration, entry of the above amendment and remarks, and allowance of the pending claims are respectfully requested. Should the Examiner not agree that all claims are allowable, a personal or telephonic interview is respectfully requested to discuss any remaining issues and to accelerate the allowance of the above-identified application.

No fee is believed due for this submission. However, if any fees are required for the entry of this paper or to avoid abandonment of this application, please charge the required fees to Jones Day Deposit Account No. 503013.

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Respectfully submitted,



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